

**OFFICE OF THE ATTORNEY GENERAL  
OF THE STATE OF MARYLAND**

**Questions and Answers Regarding the  
Request for Proposals for Assistant Tax and Benefits Counsel for the Maryland State Retirement  
and Pension System and the Several Retirement and Benefit Plans Administered by the State of  
Maryland, dated September 3, 2019**

This document contains answers to questions submitted as provided in the above captioned Request for Proposals, and is issued and distributed on September 25, 2019 to all parties to whom notice of the Request for Proposals was initially circulated and any party that submitted a request to be included on the Prospective Offerors' List in accordance with the Request for Proposals.

*Any capitalized term used in an Answer below, and not defined herein, shall have the meaning set forth in the above captioned Request for Proposals.*

	QUESTION	ANSWER
1.	What is the name of the law firm currently acting as the Assistant Tax and Benefits Counsel (Incumbent Law Firm?)	The law firm currently serving as Assistant Tax and Benefits Counsel is Ice Miller LLP.
2.	What is the current hourly rate the Incumbent Law Firm is charging for attorneys, and for paraprofessionals?	This information constitutes confidential commercial information under the Maryland Public Information Act., Md. Code Ann., General Provisions Article, § 4-335(2), and may not be disclosed.
3.	What were the total fees charged by the Incumbent Law Firm for 2015, 2016, 2017 and 2018?	<p>Fees are accounted for on a fiscal year basis. The total fees paid to the Incumbent Law Firm for services to the System, the ORP, the defined benefit retirement plans administered by the MTA, the State Employee and Retiree Health and Welfare Program administered by DBM, and the supplemental defined contribution retirement plans established by the Employing Institutions are as follows:</p> <p>FY 2016 (7/1/15-6/30/16): \$118,903.18  FY 2017: \$148,490.36  FY 2018: \$85,764.43  FY 2019: \$105,174</p>

	QUESTION	ANSWER
4.	We have reviewed the Business Plan for 2020 to determine major projects in process or contemplated by the System. Are there additional projects contemplated for future fiscal years that would require assistance from the Assistant Tax and Benefits Counsel?	As explained in § 2 of the RFP, the Attorney General cannot predict the extent to which Assistant Tax and Benefits Counsel may be requested to provide legal advice relating to the retirement, pension and benefits plans and trust funds administered by the System, the DBM, the MTA, the Employing Institutions and the MSRP. The Attorney General does not promise or guarantee any minimum level of work or compensation during the term of the Contract.
5.	Please disclose the current rates billed on these matters?	Please see response to Question 2.
6.	Who is the incumbent firm assisting with these matters?	Please see response to Question 1.
7	For purposes of the renewal term(s), should we assume our rates for two years, or provide a rate for the first year, and if a second year is requested, can we negotiate a new rate at that time?	In accordance with § 3B and Attachment D of the RFP, for any authorized Renewal Term, Offerors should submit <u>one</u> blended fixed hourly rate for all attorneys rendering services under the Contract, and <u>one</u> blended fixed hourly for all para-professionals rendering service under the Contract. An authorized Renewal Term may include one or more additional terms not to exceed two years in the aggregate.

	QUESTION	ANSWER
8.	What is the impact, in the context of being awarded work from the Maryland State Retirement and Pension System, if the firm is not a Minority Business Enterprise?	As stated in §2 of the RFP, the OAG desires that socially and economically disadvantaged individuals and MBEs have the maximum practicable opportunity to participate in the Contract. Please see §4 of the RFP for the evaluation factors that will be used by the OAG, listed in the order of relative importance.
9.	Per Section 2: General Conditions, we are asked to provide a “blended fixed hourly rate” for our work on the services set forth in the contract. To help us provide a more accurate blended rate, please advise as to the total legal spend as well as the blended fixed hourly rate from the prior contract. If you are unable to provide this information, please advise as to the expected total legal spend and blended fixed hourly rates.	Please see responses to Questions 2, 3, and 4.
10.	We have attorneys with substantial experience providing tax and benefits advice and representation to governmental defined benefit plans and governmental defined contribution plans prior to seven years ago, but in recent years have been less active in the space. Will this be sufficient to meet the minimum qualifications outlined in the RFP?	An Offeror must meet all of the minimum requirements set forth in Attachment A to the RFP to be considered qualified.